



# COUNTY OF LOS ANGELES CHILD SUPPORT ADVISORY BOARD

Los Angeles County  
Board of Supervisors

Gloria Molina  
Yvonne Burke  
Zev Yaroslavsky  
Don Knabe  
Michael D. Antonovich, Mayor

2006

## PUBLIC MEMBERS

### First District

George J. Gliaudys, Esq.  
Jane Preece, Esq.

### Second District

Paula G. Leftwich  
John O. Murrell

### Third District

Lucy T. Eisenberg, Esq., Chair  
Janice Kamenir-Reznik, Esq.

### Fourth District

Jean F. Cohen  
Maria C. Tortorelli, Esq.

### Fifth District

Reginald Brass  
Susan Speir, Vice Chair

## GOVERNMENT MEMBERS

### Chief Information Office

Jon W. Fullinwider

### Department of Children and Family Services

Dr. David Sanders

### Department of Public Social Services

Bryce Yokomizo

### Child Support Services Department

Philip Browning

### Los Angeles Superior Court

David Jetton

## EX OFFICIO MEMBERS

### California Department of Child Support Services

Mary Lawrence

### Franchise Tax Board

Debbie Strong

## CHILD SUPPORT ADVISORY BOARD MINUTES

APRIL 27, 2006

### Present

3<sup>rd</sup> District, Lucy T. Eisenberg, Esq.  
3<sup>rd</sup> District, Janice Kamenir-Reznik, Esq.  
4<sup>th</sup> District, Maria Tortorelli, Esq.  
5<sup>th</sup> District, Reginald Brass  
5<sup>th</sup> District, Susan Speir  
Chief Information Office,  
Fred Nazarbegan  
Child Support Services,  
Julie Paik  
Children and Family Services,  
Sue Harper (late arrival)  
Public Social Services,  
Fran Wong  
Superior Court,  
David Jetton

### Guests

Lorraine Cain  
Dean DeGruccio  
Wayne D. Doss  
Lisa Garrett  
Gail Juiliano  
Maggie Lien  
James Maher  
Laura Luna Sandoval  
Lawrence Hill  
Michele Jackson

Kary Pounders

### Staff

Jim Corbett  
Gabe Alexander  
Tim McTighe

### Absent

1<sup>st</sup> District, George J. Gliaudys, Esq.  
1<sup>st</sup> District, Jane Preece, Esq.  
2<sup>nd</sup> District, Paula Leftwich  
2<sup>nd</sup> District, John Murrell  
4<sup>th</sup> District, Jean Cohen

CA Department of Child Support  
Services, Mary Lawrence  
Franchise Tax Board,  
Debbie Strong

CSSD  
CHIEF, CALL CENTER, CSSD  
CSSD  
CSSD  
CHIEF, QAPI, CSSD  
CHIEF, CO-LOCATE, CSSD  
CSSD  
CSSD  
SEIU 660  
County Counsel

Public Comment

Board of Supervisors  
Board of Supervisors  
Board of Supervisors

## **CALL TO ORDER**

A quorum being present, Chair Eisenberg called the meeting to order at 9:39 a.m. in Room 743 of the Kenneth Hahn Hall of Administration.

## **APPROVE MINUTES OF MARCH 23, 2006**

On motion of Vice Chair Speir, seconded by Member Kamenir-Resnik, and carried unanimously, the minutes for March 23 were approved with corrections as directed by the Board.

## **DIRECTOR'S REPORT — To include: State Disbursement Unit update; legislative movement to augment child support funding**

Ms. Julie Paik reported that:

- Philip Browning is with the Board of Supervisors on the annual trip to Washington D.C; Stephen Golightly is on vacation; Lori Cruz and Mary Lawrence are attending the Big 6 meeting in Rancho Cordova.

Ms. Paik provided a hand-out listing significant dates for the California Child Support Automation System (CCSAS), including the Statewide System (SWS) and State Disbursement Unit (SDU).

- CSSD will go "live" with the State Disbursement Unit on May 1 as Wave 6. Effective May 1, checks that are mailed to the Court trustee will be picked up by private courier directly from the Post Office and transported to the SDU by daily courier flights. Checks will be processed at midnight following the day of arrival, with posting in SWS the next day, and posting in ARS in two days. This will result in a minimum three day delay. Increased inquiry activity from recipients is expected, particularly from May 3 to May 5.
- On August 1, employers will begin sending checks involving 4D cases directly to the SDU instead of the Court trustee. There is concern that the State will no longer know the source by County if employers fail to indicate it on the check, which could result in errors, delays, and the need to contact employers directly to obtain identity information. Employers will be required to use two of several means to identify NCPs (such as the case number, Social Security number, date of birth, etc...) or the funds will be placed in suspense.
- The State is encouraging electronic transfers, and Los Angeles County currently receives 33 to 40% of payments through EFT, mostly from larger employers.
- Los Angeles County will continue to accept cash and checks at local offices, and provisions have been made with the Auditor/Controller to deposit these funds locally and then wire the funds to SDU.

- The State is expected to send a letter to employers informing them of the changes in payment method, but the letter is not yet available for review.
- Beginning July 1, if a payment is received from a parent with accounts in more than one county, the funds will be divided among the accounts.

The Board requested a copy of the State's letter to employers when it becomes available. The possible economic impact to the County and individual recipients resulting from division of funds among accounts in different counties was discussed. The potential impact on the paying parent resulting from changes in payment due dates, such as reported delinquencies affecting credit and suspensions of licenses, was noted. Chair Eisenberg read a letter from the State responding to the Board's previous letter of inquiry regarding mitigation efforts. While the State has agreed to a 30 day stay before reporting delinquencies, NCPs on wage assignments may face being placed in arrears in future months.

Ms. Paik further reported that:

- Beginning July 1, if there is a question as to the correct identity of an NCP or CP, those funds will be held in suspense. If a Duplicate Case Transfer (DCT) issue exists, those funds will likely be held in suspense until the respective counties can coordinate a resolution to the identity. CSSD has been aggressively working to clean up any discrepancies in its cases to minimize any such impact in Los Angeles County.
- Migration to the full Statewide System has been postponed until February 1, 2007, with El Dorado County serving as the pilot county. DCSS still plans to request Federal certification on or about September 30, 2006. Los Angeles County is currently scheduled to convert to the system on September 1, 2008, at which time ARS and CASES will be retired.

Vice Chair Speir noted difficulties encountered by an NCP with a DCT issue in Los Angeles and Orange counties which resulted in double billing, delinquencies being reported, and threatened suspension of his driver's license. She pointed out that neither county followed the State's procedures, and asked CSSD to look into the matter.

Ms. Paik then reported on the legislative movement to augment child support funding:

- The Child Support Directors Association (CSDA) is planning to ask the State for a 5% increase in child support funding. SEIU backs the effort for an increase.
- Implementation of the SDU has created new functions for CSSD, and some reallocation of resources is expected. Savings of funds expended for the Court trustee will likely be offset by increased responsibilities for CSSD.

- While Federal penalties are taken from the general fund, CSSD hopes to receive some increase in child support funding when the penalties are discontinued.
- The CAO is working on a draft report to illustrate deficiencies in the Urban Institute Report, and the CAO report should be submitted to the State as a minority report within a few weeks.
- The State has indicated that unless additional monies are found, there will likely be no increase in child support funding in the short term.

**DCSS REPORT — To include: Status of COAP Program for arrears of less than \$5,000; Summary of procedures in place to handle problems with obtaining insurance cards**

Mary Lawrence had no report at this time.

**DISCUSSION OF PROBLEM INVOLVING INSURERS' REFUSAL TO PROVIDE INSURANCE CARDS TO CPS — LORRAINE CAIN**

Chair Eisenberg noted the continuing statewide problem regarding the obtaining of insurance cards, even after a court order to provide coverage. Chair Eisenberg welcomed Lorraine Cain to the meeting, who reported on development of procedures to resolve the problem.

- When a CP calls to inform the call center that no medical card has been received, the center will provide the name of a person in the office unit who will follow up with the health care provider. Implementation is already in process.
- When the center has information regarding health insurance, a letter is sent to the CP which provides a simple chart describing coverages and a box with the provider's contact information. Some providers accept the letter as proof of coverage.

Vice Chair Speir suggested that State approval be sought for the letter to specifically indicate the call center number to call if a CP is having difficulty obtaining the cards. Chair Eisenberg asked Ms. Cain to report to the CSAB Board in three months with results of the follow-up process. Member Maria Tortorelli suggested that the contact information be provided to the Facilitator and FL community partners to aid in getting the information to CPs. Ms. Lisa Garrett suggested that the State also be requested to add the contact information to its CCSAS letter.

Ms. Paik explained that, in order to receive Federal certification, all documents produced by local agencies must be generated from within the Statewide system, even though the document may pertain to a local issue.

Vice Chair Speir inquired about follow-up procedures by the ombuds unit to confirm

receipt of the cards, and asked if the cards would be sent to the CSSD office or directly to the CP. Ms. Cain explained that the ombuds unit would contact the health insurance administrator directly, and request that the cards be sent to the CSSD office to insure the privacy and confidentiality of the CP. Mr. Wayne Doss noted the agency has historically acted as a substitute agent for receipt of insurance cards. Ms. Cain stated that once insurance companies understand that they are required by law to issue the cards and can send the cards to the agency without violating their own confidentiality concerns, problems with non-delivery of cards should diminish. Vice Chair Speir described a case where a company still refused to issue cards despite being informed of the law and receiving a written request, and agreed to refer the case to the ombuds unit. Ms. Garrett stated that there have been very few such instances of refusal by insurance companies, and Ms. Cain agreed.

Chair Eisenberg thanked Ms. Cain for her report.

Member Reggie Brass described cases where the CP would use MediCal rather than the insurance provided by the NCP. Member Tortorelli concurred, and both pointed out the frustration the NCP feels when paying for insurance that is not used, and noted that out of state recipients often cannot use the insurance cards. Vice Chair Speir added that CPs on welfare continue to use MediCal because they cannot afford to make the co-payments required by many insurance policies. The Board discussed whether there were reporting requirements in place so that indemnity could be sought from insurers, and whether such requirements would be required for Federal certification. Ms. Gail Juiliano agreed to investigate the existence of reporting requirements and examine intra-state cases. Chair Eisenberg asked Ms. Juiliano to report back to the Board at the July meeting.

**RESERVED ORDERS: REPORT ON TWO ISSUES CONCERNING RESERVED ORDERS; DISCUSS DRAFT LETTER TO BOARD OF SUPERVISORS**

Chair Eisenberg stated that the draft letter had been withdrawn. Ms. Gail Juiliano reported on two issues concerning reserved orders.

- 1) When a welfare CP and NCP are still living together, CSSD gets a reserved order. What happens when the welfare CP reports that the NCP is no longer in the home?
  - As of February, 2006, four tasks are electronically identified that tell the case management worker that the NCP is no longer in the home or has returned to the home. Two are assigned to the establishment case manager; two are assigned to the enforcement case manager. QAPI performs limited monitoring, primarily of the out-of-home tasks.
- 2) When the CSSD currently has a reserved order for the CP, what happens when the system reveals new earned income?
  - As of February, 2006, the child support officer is tasked to review the case for modification if an increase or decrease in earned income occurs.

Chair Eisenberg inquired about the ability to monitor the time frame to obtain the modified order. Ms. Juiliano agreed to review the request with QAPI, but noted that there were two issues involved. The first involves offering the service of modification by initiating the expense and income declaration to the CP. The second issue involves the return of the declaration by the CP and actions that follow.

Member Tortorelli pointed out that no action is taken until the declaration is returned, and requested a copy of the letter sent requesting a declaration. She stressed the need to use plain and simple language to insure that the CP understands the process cannot go forward without returning the declaration.

#### **UPDATE ON NEW INCOME DECLARATION — JULIE PAIK**

Ms. Paik reported that:

- When new income information regarding the NCP is received in welfare cases, the Court now mandates that the CP submit the new Income & Expense Declaration (I & E). By agreement with CSSD and the Court, a child support officer can indicate by declaration (copy on file) to the Court that the I & E was sent to the CP and that the CP has failed to comply. The Court may then proceed with modification on its own without participation by the CP.
- Other counties proceed with modification without requiring an I & E from the welfare CP.

Vice Chair Speir suggested eliminating the I & E requirement through legislation at some point in the future, and asked for an update on use of the process in three months.

#### **WELFARE CASE REFFERALS — REPORT BY GAIL JUILIANO AND ROSIE RUIZ**

Ms. Juiliano reported that:

- As a result of the Blue Ribbon Summit in 2004, and in response to referrals from advocates, CSSD and DPSS have been meeting regularly since July of 2005. Three key issues have been identified: 1) the continuing occurrence of cases where there is an open welfare case but no child support case; 2) the need to enhance the electronic communication between Leader and the CSSD system; and, 3) tightening of procedures to eliminate the omissions in the future.
- DPSS is initiating training procedures for its entire staff on the requirement to refer both new cases and cases where circumstances have changed to the Co-Locate staff of CSSD. Training is schedule to begin in the latter part of May.

- IT personnel at CSSD are looking at ways to filter unneeded case data (from cases that are ultimately denied or do not apply), and still preserve the electronic link in order to avoid manual entry and errors. Other counties do not share Los Angeles County's interpretation that a referral must be created at first contact. Executive Director Browning has asked the State for clear instructions clarifying when a referral must be created.
- CSSD is "cleaning up" case files district by district. This process has been completed in the Glendale and Pasadena districts and has revealed about 100 instances where child support cases should exist. The reconciliation process is largely performed manually. Training of staff is underway to tighten procedures in the case opening process, and all 24 district offices will refer all cases to Co-Locate.

Chair Eisenberg expressed concern that such a major legal issue has not been uniformly interpreted. Ms. Paik noted that a draft letter has been awaiting formalization by the State since last summer, which states that a child support case must be started within 20 days from approval of the welfare claim. Member Kamenir-Reznik inquired as to why County Counsel has not pursued the issue through the Attorney General's office. Member Tortorelli note that State funding for changes in computer systems is generally unavailable until the Statewide System is implemented.

### **Motion**

Member Kamenir-Reznik brought forth a motion, seconded by Vice Chair Speir:

*"The Child Support Advisory Board authorizes the Chair to arrange a meeting with County Counsel to explore options available in order to seek a unified determination of date of referral".*

The motion was unanimously approved.

Vice Chair Speir inquired if DPSS staff could be trained to check for a child support case during the annual re-determination process in welfare cases. Ms. Fran Wong stated that such a check was being done and was included as part of the reinforcement training. Ms. Juiliano added that an electronic check would occur two months prior to re-determination so that cases would already be identified and the Co-Locate process would be completed by the re-determination date.

### **CODE OF CONDUCT FOR CSAB MEMBERS — REVIEW AND DISCUSS DRAFT**

Chair Eisenberg distributed a draft document entitled "CSAB Code of Conduct" for discussion. Vice Chair Speir expressed concern over possible conflict of interest in the language in heading 3 stating the "first step is to bring the concerns to the attention of the CSAB". The Board amended language in heading 2 to read:

*"...CSAB members may have concerns about matters learned during a CSAB meeting about various aspects of the Department's operations."*

Member Tortorelli suggested modification of language in heading 5 and the Board amended it to read:

“CSAB members should not *initiate independent actions in the public arena on matters that have come before the CSAB* until feedback has been received from the Board of Supervisors.”

Vice Chair Speir stated that there may be times where inaction by the Board of Supervisors or CSAB may require outside actions to prevent further injury. Member Kamenir-Reznik noted that a member could resign and then pursue outside remedies, particularly when that member is an advocate who may have a conflict of interest with the County. Chair Eisenberg stated that a purpose of this code was to insure that the members of the Board of Supervisors were adequately informed and given adequate time to respond to an issue. She further suggested that CSAB tighten up its procedures for notifying the Board of Supervisors which should help streamline the timetable for action.

#### **Motion**

Member Kamenir-Reznik brought forth a motion, seconded by Member Tortorelli:

*“The Child Support Advisory Board adopts the CSAB Code of Conduct as amended.”*

The motion was approved by majority vote (Vice Chair Speir abstaining).

Vice Chair Speir noted that the California Child Support Services Department has listed “integrity and ethical conduct” as part of its strategic plan, and distributed copies of the document. Upon inquiry as to whether the County had such a code, it was agreed to place the item on the next agenda.

#### **“CAMPAIGNS” TO CHANGE BUSINESS PROCESSES: REPORT ON NEW CAMPAIGNS UNDER CONSIDERATION AND REVIEW DOCUMENT LISTING CURRENT CAPMAIGN — WAYNE DOSS**

Mr. Wayne Doss distributed a Memorandum entitled “Campaign Update” (copy on file). Mr. Doss reported that:

- Campaigns 1 and 2 have been completed. Campaign 1 (Employer Locate) was conducted in the Encino Division and focused on updating NCP employer information through use of the Case Worker Query Tool (CWGT). As part of the Statewide System effort, however, information will automatically be updated and independent inquiries will no longer be needed.
- Campaign 2 (Order/Notice to Withhold Follow-up) was conducted in the Commerce office and focused on improving collections from wage assignments. Detailed procedures for CSOs to use when finding tasks that indicate an employer is not paying were implemented. Changes in the ARS



system to enable automated and faster follow-up and response times were developed, and have received the approval of San Diego and Orange counties. The proposed changes are in Q/A, and protocols are now being written. The new changes should be implemented sometime in May.

Chair Eisenberg asked how the department assesses the effects of the campaigns. Ms. Juiliano replied that as to Campaign 2, sufficient data has been collected to provide a baseline for comparison once the new changes take effect. Chair Eisenberg asked that QAPI provide a comparison in August. Mr. Doss elaborated on the methods employed prior to implementation to determine that changes would indeed have an effect, but noted that Change Management does not have sufficient staff to perform significant follow-up analysis. Ms. Juiliano pointed out that many variables make data difficult to analyze, but data would be available in August.

- Campaign 3 (Workers' Compensation) seeks to improve collections from workers' compensation cases, and was launched in June 2005 at the Palmdale office. Director Browning had taken note that Los Angeles County's collections were not comparable in efficiency to Orange and San Diego Counties. While those counties have their own collection staffs, Los Angeles County relies on the Court Trustee. Research revealed that the Trustee sometimes mislabeled workers' compensation payments as disability payments, causing an imbalance in the percentages reported. Now that this problem has been corrected, Los Angeles County's numbers compare favorably with Orange and San Diego counties. A negative impact is foreseen with the change to SDU, however, because of similar reporting errors at the State level and loss of control by the County.

Efforts are ongoing to update information regarding workers' compensation cases in the ARS database, and comprehensive procedures to reach all points of information entry are being developed. Mr. Doss noted the importance of getting liens filed promptly so that the County does not lose money to other counties after the change to SDU. Campaign 3 is expected to conclude June 30.

- Campaign 4 (Case Create) began in January 2006 and is ongoing. The goal is to shorten the time required to open a case without losing and possibly even improving accuracy. Cases are being sampled at random from Central Intake Division and Co-Locate Division.
- Campaign 5 is being contemplated. Suggestions include:
  - 1) Develop procedures for a centralized financial unit to take over the role of the Court Trustee contractor not assumed by SDU
  - 2) Increase participation of parties to avoid cases going into default and increase the likelihood of obtaining orders based on actual income
  - 3) Review "court order request" and "substitution of payee/registration of foreign orders" processes to speed validation of terms on ARS in order to facilitate collection of current support and arrears
  - 4) Develop a process for collecting on "arrears only" cases
  - 5) Review the processes for default cases with focus on accelerating the time frame

- 6) Review procedures for prepping court cases to keep cases moving forward

The Board expressed interest in suggestion 5, noting the effect of the statute limiting collection of retroactive child support unless served within 90 days. The Board also recommended consideration of a "supplemental complaint" procedure to eliminate multiple cases within a family unit. Mr. Doss agreed to report to the Board regarding a new campaign in July.

Chair Eisenberg asked Ms. Juiliano to report in June on how QAPI assesses the functioning of new campaigns.

**FOSTER CARE CASES: REPORT ON NON-REFERRAL OF FOSTER CARE CASES AND WHEN CHILD SUPPORT ORDER SHOULD BE STOPPED – GAIL JULIANO**

Discussion of this item was postponed.

**OUTBOUND CALLING PROJECT — JULIE PAIK**

Discussion of this item was postponed.

**CUSTOMER SERVICE COMMITTEE REPORT — MARIA TORTORELLI**

Member Tortorelli stated that the Committee would be meeting on May 11, and would then report to the Board.

**MATTERS NOT ON THE POSTED AGENDA (to be presented and placed on a future agenda)**

Chair Eisenberg asked the Members of the Board for their suggestions for future agenda items.

Member Tortorelli suggested adding a regular update on changes in State policies as part of the State's report. Member Brass suggested a review of the way in which court orders are reflected in audits. Member Tortorelli noted that a new audit tool was being implemented in the audit process and suggested the item be placed on the agenda in August. Vice Chair Speir asked for a copy of the audit form currently used.

**PUBLIC COMMENT**

Mr. Kary Pounders addressed the Board. Mr. Pounders is an NCP paying child support. Mr. Pounders explained that a written agreement with his former spouse was filed with the Court reducing his monthly child support payment for \$2000 to \$1200 per month. The new amount was still more than he was required to pay. When the former spouse took the original agreement to the Court without the modification, Mr. Pounders received a bill for \$10,000. Mr. Pounders presented the Court with the new agreement, canceled checks, and statements dating back to the

original agreement. The Court performed an audit and issued a new bill for \$7,000. Mr. Pounders expressed concern that the Court did not verify the information used to make the billing determination. He explained that he is a responsible parent and actively participates in the care of his children and often contributes funds in excess of the modified agreement. Mr. Pounders expressed his frustration with the Court and pointed out the negative effects of wage garnishment and credit reporting resulting from the Court's error.

Member Tortorelli noted that when a CP presents a court order, the Court sometimes fails to verify that the order is current. Member Kamenir-Reznik stated that this situation raised a Due Process question since the NCP was not notified of the pending audit and no court or administrative hearing was held. Ms. Paik pointed out the need for quick action in lien situations, but that notice of an ex parte proceeding is required. Vice Chair Speir explained that NCPs often do not know how to proceed to correct this situation. Member Tortorelli also recognized this puts the NCP on the defensive after the fact by shifting the burden of corrective action to the innocent NCP.

Mr. Pounders also explained that he had difficulty with Court and administrative staff in obtaining income and expense information regarding his spouse.

Chair Eisenberg thanked Mr. Pounders and requested his case history be reviewed and brought before the Board, and promised to keep Mr. Pounders informed of any developments.

### **ADJOURNMENT**

The meeting was adjourned at 11:50 a.m.